REGULAR
COUNCIL MEETING
June 20, 1988

The regular meeting of the Elkton Town Council was held June 20, 1988 at 8:00 P.M. in the council chambers with the Mayor Charles E. Dean presiding. The following council members were present: B. B. Holt, H. W. Leap, H. A. Leet, L. C. Life and R. L. Snow. R. E. Davis was absent. Dale Davenport, Attorney, Norma Leap, Clerk, Gerald Monger, Superintendent and Warren Pence, Chief of Police were also present.

Councilman H. A. Leet moved, seconded by Councilman R. L. Snow and carried to approve the minutes of the Regular Meeting May 16, 1988, Special Meeting May 26, 1988 and Public Hearing June 10, 1988 as presented.

Mr. Monger reported that he had distributed copies of a letter to council requesting a special use permit to operate a bed and breakfast. He stated council would need to set an application fee.

Councilman B. B. Holt moved, seconded by Councilman H. W. Leap and carried to set the application fee for a bed and breakfast at $100.00.

Mr. Monger reported council will need to set a Public Hearing on this request.

Mr. Monger stated that there was a question on the Elkton Manor Special Use Permit due to a change of ownership. Mr. Davenport stated he did not feel council needs to take any action as the special use permit allows someone to have a more intensive use in that zone and this has already been approved by council for this property.

Mr. Monger reported on a letter from Rockingham County stating that the Board of Supervisors has approved the town's request for the balance of the funds from the water line construction to be used for a sewer line crossing at State Route 639 in the Little Egypt area. The Board approved using up to $8,324.96 (the balance of the unspent funds) toward the sewer line crossing with the understanding that, if the the cost of the crossing is less than the above stated amount, the County's commitment will be for the lesser amount.

Mr. Monger stated council still needs to consider Perry Baugher's request to subdivide Lot "H" into Lot "H" and Lot "H1" on Prospect Avenue. Council voted at the last meeting to wait until they had legal advice.

Mr. Davenport stated he had not reviewed the application but he understood from Mr. Monger that Mr. Baugher has complied with all parts, that apply, of our subdivision ordinance and if that is the case, then council has no alternative but to grant the request.

Council was still concerned about dividing this lot into two fifty foot lots and building two small homes rather than one home on the one hundred foot lot as the other homes in that area. There was a suggestion that consideration be given to including a neighborhood consistency clause in the new subdivision ordinances. It was also felt, as there are possibly some other areas like this in town, council should try to take a close look to see where problems may arise and take action to correct the problem before it happens and then nothing can be done. It was suggested that if any citizen is aware of a possible problem to notify council so they will have the opportunity to take corrective action.

Mr. Larry Bowers, Attorney for Mr. Baugher, stated that Mr. Baugher has presented a letter of intent to build two

residents on these lots and does have a contract on the property. He also wanted clarification that if council takes no action, the request would be approved. Mr. Davenport stated this is correct.

Mr. Joe Correa questioned what was the intent of the Public Hearing if nothing could be done.

Mr. Davenport stated he was not certain a Public Hearing was necessary but a hearing would allow people to question if the person making the request was in compliance with the subdivision ordinance and meeting all the requirements.

Council was in agreement to have Mr. Davenport look into something that could be passed before the new subdivision ordinance goes into effect to protect against this type of situations.

Chief Pence reported that letters have been mailed to property owners, whose property is a hazard and not being maintained as it should be, that he plans to seek action from council at the next council meeting. Mr. Monger stated he will take care of the properties which need mowing and will contact the property owners.

Councilman R. L. Snow moved, seconded by Councilwoman L. C. Life and carried to approve the Finance Report for the month of May.

Councilman R. L. Snow moved, seconded by Councilwoman L. C. Life to approve on Second Reading the 1988-1989 Budget as printed in the minutes of the Special Meeting May 26, 1988. The vote was recorded as follows:

Holt	- yea	Life	- yea
Leap	- yea	Snow	- yea
Leet	- yea		

Councilman R. L. Snow presented the following First Reading on the 1988-1989 Budget Appropriations:

General Government	
Wages	$ 14,976.
Ads	100.
Auto Tags	1,000.
Meetings	900.
Utilities & Fuel	2,500.
Insurance	3,177.
Legal	1,000.
Audit	1,000.
Miscellaneous	1,600.
Repairs-Equipment	850.
Repairs-Property	1,500.
Supplies & Equipment	2,500.
Telephone	200.
Office Equipment	450.
Payroll Taxes	1,054.
Retirement	617.
Sinking Fund	1,200.
Ordinances	500.
Zoning	500.
Planning	1,650.
Recreation Dept. - Wages	6,000.
Recreation Dept. - Mowing	1,200.
Annexation Study	7,138.
Comprehensive Plan	7,500.
Historical Society - Kite House	5,000.
	$ 64,112.

Garbage Department	
Wages	$ 40,832.
Ads	125.

Meetings	800.
Utilities & Fuel	1,200.
Insurance	11,260.
Legal	1,000.
Audit	1,000.
Miscellaneous	4,000.
Repairs-Equipment	1,300.
Repairs-Property	1,500.
Supplies & Equipment	3,000.
Telephone	175.
Office Equipment	425.
Payroll Taxes	3,301.
Retirement	2,263.
Vehicle Maintenance	2,500.
Private Hauler	7,500.
Sinking Fund	7,000.
New Vehicles - Debt Service	758.
	$ 89,939.

Street Department	
Wages	$ 30,756.
Ads	200.
Meetings	1,000.
Utilities & Fuel	12,850.
Insurance	10,027.
Legal	1,000.
Audit	1,000.
Miscellaneous	7,500.
Repairs-Equipment	2,000.
Repairs-Property	1,500.
Supplies & Equipment	69,895.
Telephone	200.
Office Equipment	475.
Payroll Taxes	2,282.
Retirement	1,914.
Vehicle Maintenance	2,500.
New Vehicles - Debt Service	3,316.
	$148,415.

Public Safety Department	
Wages	$128,222.
Ads	200.
Meetings	1,000.
Utilities	6,600.
Insurance	25,442.
Legal	1,000.
Audit	1,000.
Miscellaneous	2,500.
Repairs-Equipment	4,500.
Repairs-Property	1,500.
Supplies & Equipment	6,000.
Telephone	1,500.
Office Equipment	500.
Payroll Taxes	9,719.
Retirement	8,310.
Jail Fees	200.
Vehicle Maintenance	6,500.
Uniforms	2,500.
New Vehicle - Debt Service	8,770.
Fire Company Gasoline	2,400.
	$218,363.

Electric Department	
Wages	$ 52,449.
Ads	50.
Meetings	1,000.
Insurance	10,673.
Legal	1,000.
Audit	1,000.
Miscellaneous	8,000.
Repairs-Equipment	1,600.
Repairs-Property	1,500.

Supplies & Equipment	30,000.
Telephone	200.
Office Equipment	415.
Payroll Taxes	4,122.
Retirement	3,586.
Vehicle Maintenance	3,000.
Power Purchased	755,000.
Technical Services	5,000.
Sinking Fund	6,000.
New Vehicles - Debt Service	7,105.
	$891,700.

Water Department	
Wages	$ 35,895.
Ads	150.
Meetings	850.
Utilities & Fuel	11,250.
Insurance	10,294.
Legal	1,000.
Audit	1,000.
Miscellaneous	4,000.
Repairs-Equipment	1,575.
Repairs-Property	1,500.
Supplies & Equipment	19,400.
Telephone	345.
Office Equipment	425.
Payroll Taxes	2,729.
Retirement	2,319.
Vehicle Maintenance	2,500.
Sinking Fund	6,000.
New Vehicle - Debt Service	3,316.
Royalties	2,000.
ShenElk Debt Service	900.
	$107,448.

Sewer Department	
Wages	$ 57,696.
Ads	275.
Meetings	1,000.
Utilities & Fuel	18,000.
Insurance	14,367.
Legal	1,000.
Audit	1,000.
Miscellaneous	5,600.
Repairs-Equipment	3,000.
Repairs-Property	1,500.
Supplies & Equipment	20,500.
Telephone	509.
Office Equipment	425.
Payroll Taxes	4,071.
Retirement	3,419.
Vehicle Maintenance	2,500.
Technical Services	500.
Sinking Fund	6,260.
New Vehicles - Debt Service	3,316.
FmHA, ShenElk - Debt Service	18,576.
	$163,514.

Councilman R. L. Snow moved, seconded by Councilwoman L. C. Life to write off the 1983 Taxes in the amount of $231.03 and old utility accounts in the amount of $3,808.32 as presented. The vote was recorded as follows:

Holt	- yea	Life	- yea
Leap	- yea	Snow	- yea
Leet	- yea		

There was some discussion on the utility deposits. Mr. Monger was asked to check into what other towns are charging for deposits.

The following First Reading was presented on the 1987-88 Budget Adjustments and Additional Appropriations:

General Government

Transfer	1000.00	from AUTO TAGS to MISC.
Transfer	250.00	from REPAIRS-PROPERTY to REPAIRS-EQUIPMENT
Transfer	150.00	from REPAIRS-PROPERTY to RETIREMENT
Transfer	250.00	from REPAIRS-PROPERTY to ZONING

Electric Department

Transfer	4630.00	from TECH. SERVICES to SUPPLIES & EQUIP.
Transfer	1500.00	from REPAIRS-PROPERTY to MISC.
Transfer	941.00	from RETIREMENT to MISC.
Transfer	46.00	from ADS to MISC.
Transfer	27.00	from REPAIRS-EQUIPMENT to MISC.
Transfer	173.00	from TECH SERVICES to UTILITIES & FUEL
Transfer	9720.00	from WAGES to POWER PURCHASED
Transfer	94.00	from MEETINGS to POWER PURCHASED
Transfer	759.00	from INSURANCE to POWER PURCHASED
Transfer	40.00	from LEGAL to POWER PURCHASED
Transfer	17.00	from AUDIT to POWER PURCHASED
Transfer	5.00	from TELEPHONE to POWER PURCHASED
Transfer	415.00	from OFFICE EQUIPMENT to POWER PURCHASED
Transfer	558.00	from VEHICLE MAINT. to POWER PURCHASED

Additional Appropriation of 15,425.00 to POWER PURCHASED

Water Department

Transfer	847.00	from ROYALTIES to SUPPLIES & EQUIP.
Transfer	425.00	from OFFICE EQUIPMENT to SUPPLIES & EQUIP.
Transfer	1500.00	from REPAIRS-PROPERTY to SUPPLIES & EQUIP.
Transfer	17.00	from AUDIT to SUPPLIES & EQUIP.
Transfer	40.00	from LEGAL to SUPPLIES & EQUIP.
Transfer	1283.00	from INSURANCE to SUPPLIES & EQUIP.
Transfer	240.00	from MEETINGS to SUPPLIES & EQUIP.
Transfer	139.00	from ADS to SUPPLIES & EQUIP.

Additional Appropriation of 49,000.00 to SUPPLIES & EQUIP.

Sewer Department

Transfer	1045.00	from INSURANCE to WAGES
Transfer	25.00	from LEGAL to WAGES
Transfer	208.00	from ADS to MISC.
Transfer	384.00	from MEETINGS to MISC.
Transfer	312.00	from UTILITIES to MISC.
Transfer	364.00	from OFFICE EQUIPMENT to MISC.
Transfer	4259.00	from REPAIRS-EQUIPMENT to SUPPLIES & EQUIP.
Transfer	1500.00	from REPAIRS-PROPERTY to SUPPLIES & EQUIP.
Transfer	500.00	from TECH. SERVICES to SUPPLIES & EQUIP.
Transfer	61.00	from OFFICE EQUIPMENT to SUPPLIES & EQUIP.
Transfer	92.00	from TELEPHONE to PAYROLL TAXES
Transfer	42.00	from TELEPHONE to VEHICLE MAINT.
Transfer	16.00	from LEGAL to DEBT SERVICE
Transfer	17.00	from AUDIT to DEBT SERVICE
Transfer	52.00	from RETIREMENT to DEBT SERVICE

Additional Appropriation of 810.00 to DEBT SERVICE

Garbage Department

Transfer	1300.00	from PRIVATE HAULER to INSURANCE
Transfer	478.00	from RETIREMENT to SUPPLIES & EQUIP.
Transfer	85.00	from VEHICLE MAINT. to SUPPLIES & EQUIP.
Transfer	163.00	from PAYROLL TAXES to UTILITIES & FUEL
Transfer	153.00	from PAYROLL TAXES to REPAIRS-EQUIPMENT

Street Department

Transfer	698.00	from INSURANCE to UTILITIES & FUEL
Transfer	4313.00	from WAGES to MISC.
Transfer	719.00	from WAGES to SUPPLIES & EQUIP.
Transfer	385.00	from MEETINGS to SUPPLIES & EQUIP.
Transfer	39.00	from INSURANCE to SUPPLIES & EQUIP.

Transfer 272.00 from REPAIRS-EQUIPMENT TO SUPPLIES & EQUIP.
Transfer 1500.00 from REPAIRS-PROPERTY to SUPPLIES & EQUIP.
Transfer 475.00 from OFFICE EQUIPMENT to SUPPLIES & EQUIP.
Transfer 364.00 from PAYROLL TAXES to SUPPLIES & EQUIP.
Transfer 362.00 from RETIREMENT to SUPPLIES & EQUIP.
Transfer 280.00 from VEHICLE MAINT. to SUPPLIES & EQUIP.

Additional Appropriation of 43,565.00 to SUPPLIES & EQUIP.

Public Safety
Transfer 100.00 from OFFICE EQUIPMENT to TELEPHONE
Transfer 630.00 from VEHICLE MAINT. to DEBT SERVICE

Additional Appropriation of 2,400.00 to FIRE CO. GASOLINE (MISC.)

Councilman Leap reported that at the Special Meeting June 30, 1988 they are going to try to have Mike York, President of the Virginia Municipal Electric Association No. 1, here to give council some information concerning the Virginia Power agreement regarding generation of power by VMEA No.1. Councilman Leap distributed some information to council to review.

Councilwoman Life questioned if the proposed July 1st. Vepco increase has been delayed for a few months. Mr. Monger stated Vepco has never said what they are going to pass on to us. What Councilwoman Life is hearing is regarding residential customers. Mayor Dean stated the notice he received didn't specify who would be affected.

Councilwoman Life reported that in regards to complaints about the cable service, Adelphia did tell us that they are in the midst of upgrading the system and there will be problems for awhile.

Councilwoman Life reported that she received a letter the last of May from Norfolk-Southern declining giving the land along with the old freight station. She has written Norfolk-Southern asking that they please notify the town when they plan on demolishing the freight station as the town is still interested in it and Mr. Monger will be checking into the cost of moving the station and if there is any town properties where it will be feasible to move it. She has also sent a letter regarding obtaining a caboose and looking into where it could be located on town property.

Councilman Leet reported that they have not replaced the sewer in the center of town as yet but did repair the leak and put in a manhole.

Councilman B. B. Holt moved, seconded by Councilwoman L. C. Life to approve on Second Reading to amend the Zoning Ordinance to eliminate Subparagraph 2 of Section 4 of the Zoning Ordinance which reads, "single detached residence for not more than three (3) families or three housekeeping units", and Subparagraph 3 of Section 4 which reads, "duplex residence".

There was some discussion as to whether this needs to go to the Planning Commission for their recommendation. Councilwoman L. C. Life withdrew her second and Councilman B. B. Holt his motion.

Councilman B. B. Holt moved, seconded by Councilwoman L. C. Life and carried to refer this zoning ordinance change to the Planning Commission.

Councilman Holt expressed his displeasure with an article in a local paper regarding the crime rate in Elkton. The headlines indicated that Elkton has the highest crime rate in the area and this has upset, irritated and outraged more people in this area than any newspaper story that he has seen

in the fifteen years he has been here. He pointed out that in the report the population figures for Elkton are not realistic, not all towns reported and in the article written by the paper they didn't mention Harrisonburg and barely mentioned that Elkton has the highest solution rate in the whole area. Councilman Holt stated that a newspaper has the responsibility to report the news, to sell newspapers, make some money and if it is a community newspaper, they have a responsibility to the community; to help that community if it deserves help. In this situation he feels the paper took a negative approach and did not consider the community at all. Council members, EPIC and the community have been trying to destroy the old image Elkton had and have been doing well. It is distressing to think that one newspaper, one headline, can destroy all that has been accomplished. That is the result of a negative approach to a newspaper story.

Councilwoman Life asked about the fence on Jackson Avenue that was reported at the last regular meeting and the letter regarding Rogers Cable T.V.

Mr. Davenport reported that he has looked at the fence situation and does not feel this would be permitted under the town's ordinance.

Mr. Davenport stated that the town's television franchise is a non-exclusive grant but he has not had time to review the federal regulations on this. He will try to check into it by the next meeting.

Councilman Holt reported that the Planning Commission is having a series of work sessions and going through the material they have received from the Central Shenandoah Planning Commission "word by word".

Councilman Leap reported that he has received a recommendation from a citizen on the cruising problem. The recommendation is to put up a toll gate down on Wirt Avenue with passes for people who live there. If you want to cruise fine, as long as you have the money.

Councilwoman Life reminded council she had given five suggestions a good while ago. Three she could remember were speed bumps, toll gate and one way traffic.

As there was no further business, the meeting adjourned.

MAYOR: Charles E. Dean
Charles E. Dean, Mayor

RECORDER: Norma R. Leap
Norma R. Leap, Clerk